

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

PANTHERA RAIL CAR LLC AND PANTHERA  
LEASING, INC.

*Plaintiff(s)*

v.

KASGRO RAIL CORPORATION, a Pennsylvania  
corporation, KASGRO LEASING, LLC, KR  
LOGISTICS, LLC, KASGRO RAIL CAR  
MANAGEMENT, LLC and Does 1 through 50,

*Defendant(s)*

Civil Action No.

C 12 6458

LB

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

KASGRO RAIL CORPORATION, a Pennsylvania corporation  
Attn: Joseph Crawford, President and CEO, Kasgro Rail Corporation  
5141 Raintree Road  
Pittsburgh, PA 15236

*And all named Defendants*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Marcie Keenan Farano  
Deborah L. Thaxter  
NIXON PEABODY, LLP  
One Embarcadero Center, 18<sup>th</sup> Floor  
San Francisco, CA 94111

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DEC 20 2012

CLERK OF COURT

Helen L. Almacen

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: